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TO: James J. Leybourne, Examiner - Art Unit 2881

FIRM: The United States Patent and Trademark Office

FAX NO.: 1-703-308-5841

FROM: Ian C. McMillan

DATE: December 17, 2003 **PAGES:** 9
(Including cover sheet)

File No.: 571-761

Lawyer No.: 165

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/004,800	
	Filing Date	December 7, 2001	
	First Named Inventor	Alexander V. Loboda	
	Art Unit	2881	
	Examiner Name	James J. Leybourne	
Total Number of Pages in This Submission	8	Attorney Docket Number	571-781

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Transmission under 37 CFR 1.8 Applicant Initiated Interview Request Form
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Signature	
Date	December 17, 2003

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Appl. No. 10/004,800
Response Dated December 17, 2003
Reply to Office action of October 3, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Alexander V. Loboda
Appln. No : 10/004,800
Filed : December 7, 2001
Title : ION MOBILITY SPECTROMETER INCORPORATING AN ION
GUIDE IN COMBINATION WITH AN MS DEVICE
Grp./A.U. : 2881
Examiner : James J. Leybourne

Docket No. : 571-761

Date: : December 17, 2003

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DRAFT AMENDMENT

Dear Sir:

This is in response to the office action of October 3, 2003.

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 1 to 41 are in the case.

Claim Rejections – 35 USC, s. 103

The Examiner has rejected claims 1-4, 16, 29, 31, 33, 42 and 43 as allegedly unpatentable over Clemmer (U.S. patent No. 6,326,482) in view of Russ IV et al. (U.S. patent No. 6,417,511), and has rejected claims 5, 6, 8-19, 21, 23-25, 29, 30 and 32-35 as being unpatentable over Clemmer in view of Russ IV et al. as applied to claim 1 and in further view of Thomson (U.S. patent No. 6,111,250), and in still further view of Smith (U.S. patent No. 6,107,628). These rejections are respectfully traversed, and it is respectfully submitted that the present invention as claimed is patentable over the combined teachings of Clemmer, Russ IV et al., Thomson and Smith. Before addressing this argument in detail, the invention will be briefly described together with one of the problems it overcomes.

Background and Summary of the Invention

The present invention relates to a hybrid mobility-mass spectrometry apparatus, and a new method of using such a hybrid device. The hybrid mobility-mass spectrometry